

SECTION M - EVALUATION FACTORS FOR AWARD

M.1 GENERAL

This competitive negotiated acquisition shall be conducted in accordance with FAR Subpart 15.3, Source Selection, and NASA FAR Supplement (NFS) 1815.3, same subject.

The attention of Offerors is particularly directed to NFS Subsection 1815.305, Proposal evaluation and to NFS Subsection 1815.305-70, Identification of unacceptable proposals.

A trade-off process, as described at FAR 15.101-1, will be used in making source selection.

(End of provision)

M.2 – M.24 RESERVED

M.25 EVALUATION OF PROPOSAL PREPARATION

Proposals shall be submitted in accordance with L.25 Instructions for Proposal Preparation. Proposals not submitted as described in L.25 Instructions for Proposal Preparation will be considered non-responsive and will not be evaluated further.

M. 26 TRADEOFF BETWEEN A COMBINATION OF ACCEPTABLE BASELINE CHARACTERISTICS AND PREDEFINED QUALITATIVE (VALUE) CHARACTERISTICS, AND COST/PRICE

This procurement will be conducted utilizing a tradeoff between a combination of acceptable baseline characteristics and predefined qualitative (value) characteristics, including past performance, and cost/price. Based on FAR 52.215-1(f), the Government will award contract(s) resulting from this solicitation to the Offeror(s) whose proposal represents the best value after evaluation.

The Government's requirements are stated as baseline characteristics. Predefined qualitative value characteristics go beyond the baseline characteristics and will serve as the discriminators amongst offers.

An initial review will be conducted to determine acceptability of all submitted proposals. All unacceptable proposals will be eliminated from further evaluation. The Government intends to make selection and award without discussions (Offerors may be contacted only for clarification purposes). However, the Government reserves the right to conduct discussions. If discussions become applicable to this procurement each finalist will be afforded the opportunity to revise specific portions of its proposal as determined during the discussion stage. The Government will then make selection and award.

Proposals will be evaluated using the following evaluation factors:

- (1) Baseline Characteristics
- (2) Predefined Qualitative Value Characteristics (VC)
- (3) Cost/Price
- (4) Past Performance

M.26.1 ACCEPTABILITY OF BASELINE REQUIREMENTS

The baseline requirements will be evaluated for the complete and adequate response to Section L in this RFP. Technical acceptability of Baseline Requirements will be rated as either “meets” or “does not meet.”

(a) Financial Capability and Bonding Capacity (Including Bid Bond)

The provided details and financial documentation will be evaluated to ensure that the Offeror has submitted sufficient and verifiable documentation that validates the financial capability of the company to furnish payment and performance bonds for at least \$10 million. Offerors that do not demonstrate financial capability and provide verifiable documentation of bonding capacity will be considered non-responsive and will not be evaluated further.

In addition, the proposal will be evaluated to ensure that a bid bond was submitted in accordance with NFS 1852.228-73. The original bond shall be clearly marked as “original” with a raised seal.

(b) Subcontracting Plan

For large businesses only, the submitted plan will be evaluated to determine if it thoroughly addresses all requirements of FAR 52.219-9, Alternate II, Small Business Subcontracting Plan. Furthermore, the plan will be evaluated in terms of reasonableness and effectiveness of the Offeror’s ability to achieve the proposed subcontracting goals by category.

(c) United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Registered Project(s) (Past or Current Project(s)) and USGBC Accredited LEED Professional Member(s) of the Prime Contractor’s Team

The provided documentation will be evaluated to determine if the Offeror has submitted verifiable documentation for all USGBC Registered LEED Project(s) and for all USGBC Accredited LEED Professional(s).

(d) Safety and Environmental

(1) Safety and Health Plan

The Offeror’s approach to Safety and Health is required by NFS 1852.223-70. The suitability and adequacy of the Offeror’s Safety and Health Plan will be evaluated for compliance with NFS 1852.223-73, Specification Section 01410, and the JSC Safety and Health Handbook.

(2) Environmental Compliance

The Government will evaluate how each citation for environmental violations was resolved or mitigated.

(3) Safety Record

The Offeror's Independently Documented Safety Experience Modifier Rate (EMR) will be evaluated. Offerors that do not demonstrate an EMR equal to or less than .99 will be considered non-responsive and will not be evaluated further.

(e) Past Performance

Past Performance indicates how well an Offeror (including significant subcontractors and/or team members) performed on earlier work and can be a significant indicator of how well the Offeror can be expected to perform the work at hand. The Offeror's past performance including relevant experience will be evaluated by the buying team and a rating system of substantial value, some value, minor value, and no value will be assigned. The evaluation will be based on information provided by Offerors in their proposals, information obtained by the buying team from the Past Performance Questionnaire and communications with listed references as well as any other information obtained independently by the buying team.

For a newly formed organization, the evaluation will consider the past performance record of its component organizations, if any. Offerors with no previous past performance will receive a neutral evaluation.

Only Offerors who receive a combined Past Performance rating of "Minor Value" or above will be considered for further evaluation.

(f) Three Original Signed Copies of the Model Contract (Sections A-J) and Section K - Representations, Certifications, and Other Statements of Offerors

The provided model contract (Sections A-J) will be evaluated to ensure that three original signed copies executed by an authorized official of the Offerors Company are received and to make certain that all fill-ins within the model contract are completed. All fill-ins are required to be completed in order for the Offeror to be considered responsive.

In addition, Section K - Representations, Certifications, and Other Statements of Offerors will be evaluated in accordance with K.1 52.204-8 Annual Representations and Certifications and K.2 52.223-13 Certification of Toxic Chemical Release Reporting.

M.26.2 PREDEFINED QUALITATIVE (VALUE) CHARACTERISTICS (VC)

Qualitative value characteristics establish what the Government considers to be valuable in an offer. All offers will be judged against the qualitative value characteristics. Adequate information should be submitted to permit proper evaluation. The value characteristics will be evaluated on a rating system using the following terms: Substantial Value, Some Value, Minor Value and No Value. The following qualitative characteristics are applicable to this procurement:

(a) USGBC LEED Certified Project(s) (Past or Current Project(s))

The provided documentation will be evaluated to determine if the Offeror has submitted verifiable documentation for all USGBC Certified LEED Project(s).

(b) Safety Ratings

The Offeror's Experience Modifier Ratio (EMR), Total Recordable Incident Rate (TRIR), and Days Away From Work, Days of Restricted Work Activity or Job Transfer Rate (DART) will be evaluated as stated below.

a. EMR

- i. Substantial Value: EMR of .49 or less
- ii. Some Value: EMR of 0.50 - .79
- iii. Minimal Value: EMR of .80 - .98
- iv. No Value: EMR of .99

b. TRIR

- i. Substantial Value: TRIR in the first quartile for its NAICS Code and company size
- ii. Minimal Value: TRIR in the second quartile for its NAICS Code and company size
- iii. No Value: TRIR in the third and fourth quartiles for its NAICS Code and company size

c. DART

- i. Substantial Value: DART rate in the first quartile for its NAICS Code and company size
- ii. Minimal Value: DART rate in the second quartile for its NAICS Code and company size
- iii. No Value: DART rate in the third and fourth quartiles for its NAICS Code and company size

(c) Past Performance

Past Performance indicates how well an Offeror (including significant subcontractors and/or team members) performed on earlier work and can be a significant indicator of how well it can be expected to perform the work at hand. The Offeror's past performance including relevant experience will be evaluated by the buying team and a rating system of substantial value, some value, minimal value, and no value will be assigned. The evaluation will be based on information provided by Offerors in their proposals, information obtained by the buying team from the Past Performance Questionnaire and communications with listed references as well as any other information obtained independently by the buying team.

M.26.3 COST/PRICE

(a) Cost/Price (Section L, Attachment L.3 - Task Order – "Building 265 Addition")

This is a firm fixed price Task Order.

The proposed model Task Order will be evaluated for price reasonableness and realism to ascertain if the proposed prices are realistic for work to be performed and reflect an

understanding of the Task Order requirements. The proposed prices will be evaluated by comparison against the Government estimate and the proposed progress schedule.

A price analysis will be conducted in accordance with FAR 15.305(a) (1). Price analysis is described at FAR 15.404-1(b). This analysis is done to ensure that prices proposed are realistic and equitable for the amount and type of work performed.

M.26.4 PAST PERFORMANCE

(a) Past Performance

Past Performance shall be evaluated under the Baseline Characteristics and the Qualitative value characteristics respectively. See M.26.1(e) and M.26.2(c) for how past performance will be evaluated.

M.27 TRADEOFF PROCESS

The award of Multiple IDIQ contracts will be based on best value trade-off of acceptable baseline characteristics and predefined qualitative (value) characteristics when combined, being approximately equal to price. This trade-off will provide the best value to Government and will allow a cadre of highly qualified construction contractors to be established to whom future work may be negotiated and awarded based on price and non-price considerations. The Source Selection Authority, exercising prudent business judgment, will make the source selection decisions based on the proposals representing the best value to the Government.

From the subset of selected contract awardees, a task order may be awarded for the "Building 265 Addition." This task order award will be based on best value trade-offs as described above where:

- 1) If all awardees are of approximately equal merit, award of the task order will be made to the awardee with the lowest price.
- 2) The Government will consider awarding to an awardee with higher merit if the difference in price is commensurate with added value.
- 3) The Government will consider awarding to an awardee whose offer has lower merit if the price differential between it and other offers warrant doing so.